

AMENDMENT NO. ONE (1)
INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
THE PINAL COUNTY

THIS AGREEMENT is entered into March 18 2004, **Amendment One** to JPA 02-147, AG Contract No.: KR02-1843TRN, filed with the Secretary of State under No. 26431, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the PINAL COUNTY acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 11-951 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 and 11-951 et seq. to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

The purpose of this Amendment is to reflect the increase in costs for the replacement of the Attaway Bridge project.

THEREFORE, the agreement is amended as follows:

#01
NO. 26431
Filed with the Secretary of State
Date Filed: 03/18/04
Janice K. Brewer
Secretary of State
By: Darryl Harsenwald

Recital 7. is deleted and replaced in full as follows:

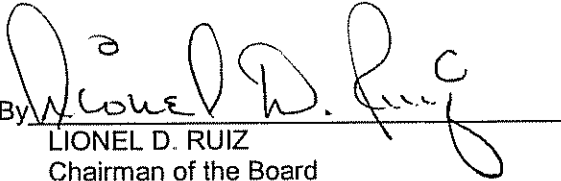
7. The work embraced by this agreement and the estimated cost for the replacement of Attaway Bridge is as follows:

Estimated Subtotal Project Cost (incl. 15% CE cost)	\$409,688.00
Contingency at 5%	\$ 21,562.00
<i>Estimated Total Project Cost</i>	<i>\$431,250.00</i>
Estimated Federal Share @ 80% of \$431,250	\$345,000.00
<i>Estimated Pinal County Share @ 20% of \$431,250</i>	<i>\$ 86,250.00</i>


EXCEPT AS AMENDED herein, all other terms and conditions of the original agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

PINAL COUNTY

By 
LIONEL D. RUIZ
Chairman of the Board

STATE OF ARIZONA
Department of Transportation

By 
SUSAN TELLEZ
Contract Administrator

ATTEST:

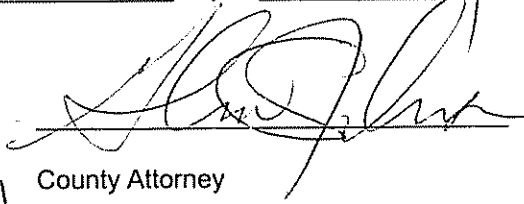
By 
STANLEY D. GRIFFIS
County Clerk

JPA 02-147 Amendment One

APPROVAL OF THE PINAL COUNTY ATTORNEY

I have reviewed the above referenced intergovernmental agreement between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the PINAL COUNTY, an agreement among public agencies which, has been reviewed pursuant to A.R.S. section 11-951 through 11-954 and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 2nd day of February, 2004.


Deputy County Attorney

When recorded return to:
The Clerk of the Board of Supervisors
Pinal County Board of Supervisors
P. O. Box 827
Florence, AZ 85232

RESOLUTION NO. 021804-JPA

**RESOLUTION OF THE PINAL COUNTY BOARD OF SUPERVISORS
AUTHORIZING PINAL COUNTY TO ENTER INTO AMENDMENT ONE OF
INTERGOVERNMENTAL AGREEMENT JPA 02-147 WITH THE STATE OF
ARIZONA, ACTING BY AND THROUGH ITS DEPARTMENT OF
TRANSPORTATION, FOR THE PURPOSE OF INCREASING THE
ESTIMATED PROJECT COST AND ESTABLISHING THE COST SHARE FOR
PINAL COUNTY FOR THE REPLACEMENT OF ATTAWAY BRIDGE
LOCATED WITHIN PINAL COUNTY.**

WHEREAS, Pinal County is empowered by A.R.S. § 11-251 and § 11-951 et seq. to enter into Amendment One of Intergovernmental Agreement JPA 02-147; and,

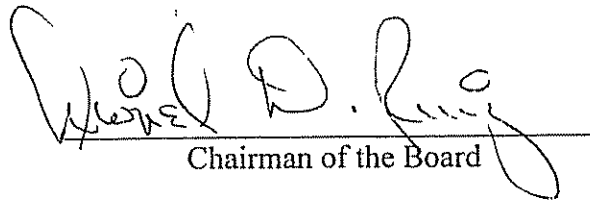
WHEREAS, Congress has authorized appropriations through the Federal Highway Administration (FHWA) for the replacement of bridges; and,

WHEREAS, Pinal County, in order to obtain federal funds for the construction of the aforementioned project, is willing to provide county funds in the amount of \$86,250.00 to match federal funds in the amount of \$345,000.00 or as finally fixed and determined by the County and FHWA; and,

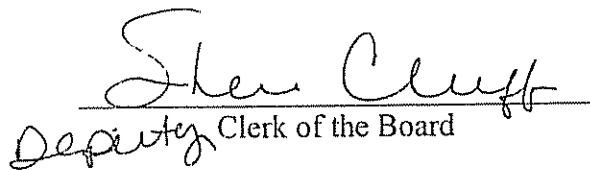
WHEREAS, it is in the best interests of the welfare and safety of the citizens of Pinal County to enter into Amendment One of Intergovernmental Agreement JPA 02-147 for the purpose of increasing the estimated total project cost to \$431,250.00 and establishing the cost share for Pinal County at 20% of total project cost or \$86,250.00 for the replacement of Attaway Bridge, located within Pinal County.

THEREFORE, BE IT RESOLVED: Pinal County is hereby authorized to enter into Amendment One of Intergovernmental Agreement JPA 02-147 with the State of Arizona, by and through its Department of Transportation, for the purpose of increasing the estimated total project cost to \$431,250.00 and establishing the cost share for Pinal County at 20% of total project cost or \$86,250.00 for the replacement of Attaway Bridge located within Pinal County.

PASSED AND ADOPTED this 18th day of February, 2004,
by the PINAL COUNTY BOARD OF SUPERVISORS.


Chairman of the Board

ATTEST:


Deputy Clerk of the Board



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE: 602.542.8855

TERRY GODDARD
ATTORNEY GENERAL


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR02-1843TRN (**JPA 02-147-Amendment One**), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: March 15, 2004.

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED/mjf
Attachment
834740